

REPORT - PLANNING COMMISSION MEETING
June 26, 2003

Project Name and Number: Tri-City Chinese Baptist Church (PLN2000-00082)

Applicant: Tri-City Chinese Baptist Church

Proposal: To consider the Landscape Plan, per a condition of U-89-7A, for a religious facility in the Niles Planning Area.

Recommended Action: Approve

Location: 38075 Mission Boulevard in the Niles Planning Area.

APN: 507-645-18; 507-645-19; 507-645-20;

Area: .97 acres

Owner: Tri-City Chinese Baptist Church

Agent of Applicant: Leighton Lee, Architect; Kirk Morton, Landscape Architect

Environmental Review: The City previously approved a Mitigated Negative Declaration for the development of this project.

Existing General Plan: Low Density Residential 6.5-10 dwellings per acre

Existing Zoning: R-1-8(H), Single Family Residential District (Historic Overlay District)

Existing Land Use: Religious Facility

Public Hearing Notice: Public hearing notification is applicable. 55 notices were mailed to owners and occupants of property within a minimum radius of 300 feet from the site on the following streets: Vallejo Street, Sycamore Street, and Mission Boulevard. The notices to owners and occupants were mailed on June 16, 2003. A Public Hearing Notice was delivered to The Argus newspaper on June 11, 2003 to be published by June 16, 2003.

Executive Summary: An amendment to the Conditional Use Permit, U-89-7A, was approved in 1997 to allow a 9,805 square foot two-story fellowship hall to the north side of the existing worship building. A condition of approval requires the landscape plan to return to Planning Commission for review.

Background and Previous Actions: The religious use of the property predates the City's incorporation. On May 21, 1962, the Planning Commission granted a conditional use permit (U-62-52), to allow the rebuilding of the structure after a fire had heavily damaged the building. The subject site is occupied by a 3,959 square foot religious facility that was built in 1962. The Planning Commission approved U-89-7 for a two story structure to the north of the existing building on April 12, 1990. However, that structure was never constructed primarily due to the street dedication (25 feet of right of way) required by a planned Caltrans project. However the congregation learned in 1997 that only 15 feet of street dedication would be required and it was possible to design an addition. In 1997 a Conditional Use Permit Amendment, U-89-7A, was approved for a 9,805 square foot addition to an existing religious facility to house a new fellowship hall and Sunday school classrooms. Also approved was a variance to reduce the front yard landscape area to 17 feet, where 27 feet was required. The maximum number of seats in the main assembly hall remains at 150 based on lot size (Section 8-22145 of the Fremont Municipal Code).

The adjacent land uses include the following: to the north side, there is a small neighborhood commercial center anchored by a 7-11 convenience store; to the east and south of the subject property are older single family residences; to the south of the subject property is an undeveloped lot zoned for single family dwellings.

Project Description: Since the conditional use permit amendment approval in 1997 the applicant has been pursuing approval of the required building permits for the project. A condition of approval requires the landscape plan to return to Planning Commission for review. However, circumstances and City regulations have changed since the 1997 amendment review and approval. The Niles Concept Plan was adopted in September, 2001. The Niles Concept Plan addresses landscaping along Mission Boulevard as a gateway into Niles. Also, the City adopted new landscape standards regarding trees in parking lots in 2002.

At the time of the 1997 amendment there was some uncertainty regarding the amount of street dedication and timing of street improvements on the Mission Boulevard frontage of the subject parcel due to a scheduled Caltrans project. The applicant did receive a "variance in time" from the City Council for the installation of the Mission Boulevard improvements across the applicant's frontage that was tied to the Caltrans construction schedule. Caltrans, through the Alameda County Transit Authority, has a project (authorized and funded by Measure B) to improve a section of Mission Boulevard to a 6 lane-divided major thoroughfare. The Caltrans project limits are between points northerly of Pickering Avenue and northerly of Niles Canyon Road and includes the Mission Boulevard frontage of the applicant's property. The Caltrans project is now under construction and Tri-City Chinese Baptist Church has dedicated the required right of way.

General Plan Conformance: The General Plan land use designation for the project site is Low Density Residential 6.5 to 10 dwelling units per acre. The following General Plan goals and policies are applicable to the proposed project.

Goal H 1:	Conservation and enhancement of existing residential neighborhoods
Policy LU 1.1	Schools, Childcare Centers, Public and Semi-Public Facilities (e.g., churches) and Nursing Care facilities. These uses may be allowed, although conditions may be established to limit the impacts of these uses on residents.

The above land use policy does allow religious facilities.

Zoning Conformance: The property is zoned R-1-8(H), Single Family Residential District (Historic Overlay District). The religious use is allowed subject to the Conditional Use Permit U-89-7A.

Landscaping: The landscape plan includes 24" box Chinese Pistache and Canary Island Pine trees along the rear property line. Blood Red Trumpet Vine and Boston Ivy are to be trained on the masonry wall. The masonry wall to the south will have creeping fig vines and the trash enclosure yellow cat's claw vines. Eight 24" box Red Oak trees are proposed as the street trees. There are two conditions of U-89-7A regarding landscaping that are of concern:

- A-19 Three, 3 foot by 16 foot landscaped tree wells shall be added to the parking area along the western property line, subject to the review and approval of staff at the Development Organization review stage.

This condition was included by staff to break up the row of parking spaces at the rear of the property. However, the landscape standards have since changed and now require a minimum 6 foot interior width for landscape pockets with trees. The tree wells now require a total of seven feet width (interior of six feet and two 6 inch curbs). Three landscaped tree wells would eliminate three parking spaces. The Fremont Municipal Code requires 30 parking stalls, based on one parking space per five seats in the main assembly hall. The applicant proposal has always included more parking than the minimum and the site plan for building permits now provides 44 parking spaces including two handicapped stalls. One of the striped loading spaces next to the handicapped stalls will actually be a parking space (the two handicapped stalls will share the striped area). Parking on Mission Boulevard is not allowed. Staff is concerned that reducing the number of parking spaces will create a parking problem in the area. Because of the triangular shape of the site it is difficult to add more parking stalls elsewhere and still have the required back up area. Staff believes the proposed combination of

building and landscaping will adequately screen the row of parking and recommends that this condition be considered satisfied by the current proposal.

- A-33 The Landscape Plan shall return to the Planning Commission for final review and approval prior to issuance of the Building Permit. The Landscape Plan shall reflect the importance of this site as a gateway to Niles as well as the expected loss of frontage to the widening of Mission Boulevard.

Several policies of the Niles Concept Plan address landscaping on Mission Boulevard and gateway features. The policies are as follows:

Policy LU-7: Ensure that development at the corner of Mission Boulevard and Niles Canyon creates a gateway to Fremont and entryway to Niles that complements the Vallejo Mills Historic Park and enhances the entry to Niles Canyon. Planned District zoning should be utilized to achieve the desired results.

Policy T-6: Create an attractive Boulevard.

Policy CD-9: Provide attractive landscaping along Mission Boulevard and the lettered side streets off of Niles Boulevard.

Policy CD-11: Create entryway landscaping features along Mission Boulevard and Niles Boulevard that visually highlight the Niles District.

Policy CD-11 further discusses that Mission Boulevard should be enhanced with entryway landscaping such as large-scale trees such as Canary Island Palms and colorful plantings. The landscape plan for the front areas had previously proposed London Plane and purple Crape Myrtle trees with a variety of shrubs and turf. The landscape plan now reflects the Caltrans project with the correct right of way dedication. The sidewalk is adjacent to Mission Boulevard. The revised landscape plan proposes the eight Red Oak trees, two Jacaranda trees, three Canary Island Pines, and three purple leafed Plums in the front area. Additionally the front areas include petite pink Oleander, pink lady Hawthorne, and dwarf Agapanthus, other shrubs and turf. The Red Oak trees have spreading branches and a round topped crown. Staff recommends the proposed landscape plan is in compliance with Condition A-33.

Environmental Analysis: The City previously approved a Mitigated Negative Declaration for the development of this project.

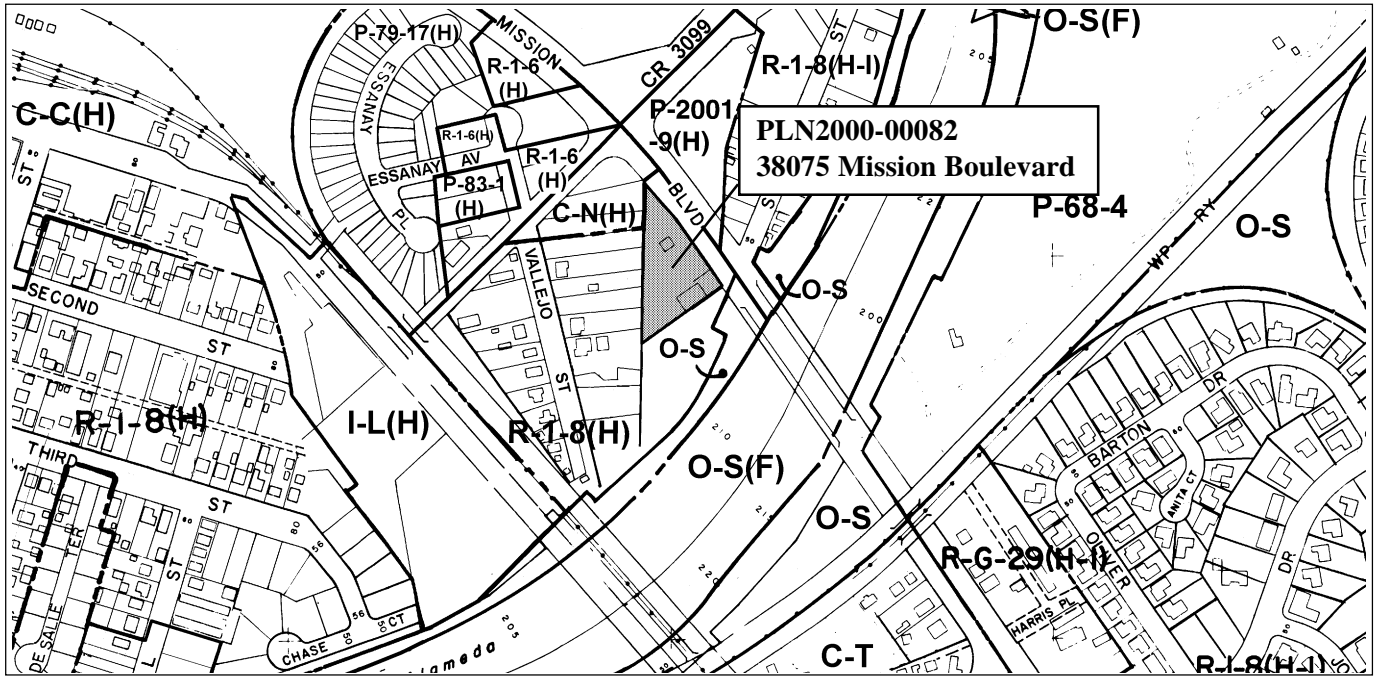
Enclosures: Exhibit "A" (Landscape Plan)

Exhibits: Exhibit "A" (Landscape Plan)

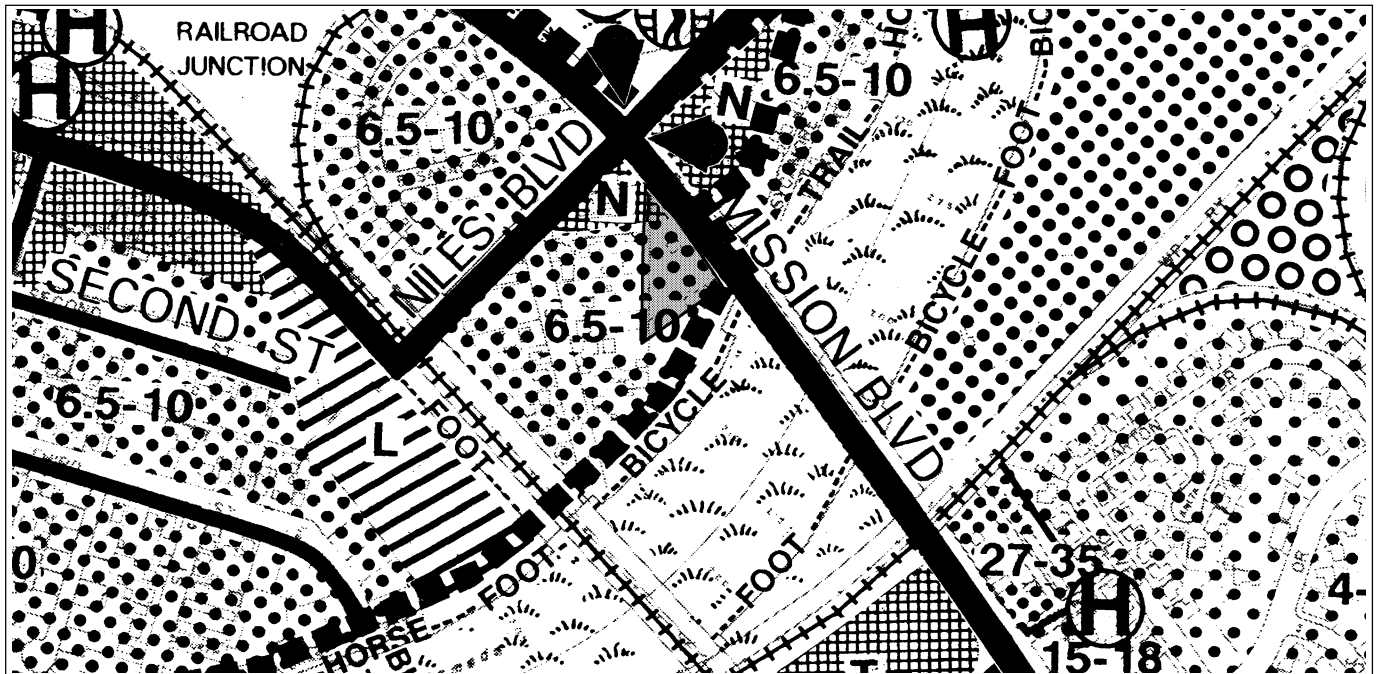
Recommended Actions:

1. Hold public hearing.
2. Approve PLN2000-00082 as shown on Exhibit "A".

INFORMATIONAL



Existing Zoning



Existing General Plan

Project Number: PLN2000-00082
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Project Description: To consider the Landscape Plan, per a condition of U-89-7A, for a religious facility in the Niles Planning Area. The city previously certified and approved a Mitigated Negative Declaration for the development of this project.

Note: Prior arrangements for access are not required for this site.

